MAR 2 2 2005 F IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

: MAIL STOP: AMENDMENT

Koji ONO et al.

Confirmation No. 7081

Serial No. 10/644,766

Attorney Docket No. 2003 1185

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Group Art Unit 3723

POLISHING APPARATUS

Examiner J.K. ACKUN

TERMINAL DISCLAIMER UNDER 37 CFR 1.321

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

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The owner, Ebara Corporation & Kabushiki Kaisha Toshiba, of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as shortened by any terminal disclaimer, of prior Patent No. 6,634,924, issued October 21, 2003. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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__ The undersigned is empowered to act on behalf of the organization.

X The undersigned is an attorney of record.

March 22, 2005

By:

Joseph M. Gorski, Reg. No. 46,500

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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